

Chapter 10-10

DRIVING RULES AND REGULATIONS

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Section 10-10-01 RIGHT-OF-WAY AT INTERSECTIONS

- A. When two (2) vehicles enter or approach an unmarked or uncontrolled intersection from different streets at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right, except that when two vehicles approach an unmarked or uncontrolled intersection where one highway ends when it meets a second highway not ending at that point of convergence from different directions at approximately the same time, the driver of the vehicle on the highway ending at the intersection shall yield the right of way to the other vehicle.
- B. The driver of any vehicle turning left at an intersection shall yield the right-of-way to any vehicle approaching from the opposite direction which is in the intersection or so close thereto as to constitute a hazard.
- C. The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to a bicycle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.
- D. When a motor vehicle and a bicycle are traveling in the same direction on any highway, street, or road, the operator of the motor vehicle overtaking such bicycle traveling on the right side of the roadway shall not turn to the right in front of the bicycle at an intersection, alley, or driveway until such vehicle has overtaken the bicycle and has sufficient clearance to safely turn without

requiring the bicyclist to brake or take evasive action to avoid a collision with the vehicle.
(6764, Amended, 01/12/2010; 3784, Added, 12/22/1975)

Section 10-10-02 RIGHT-OF-WAY FOR VEHICLES ENTERING ROADWAY AND LEAVING CURB

The driver of any vehicle entering a street or highway at a point other than a street or highway intersection or entering traffic on a roadway from a parked or angle-parked position on such street or highway, shall look out for and yield the right-of-way to other vehicles on such roadway.
(2864, Added, 04/01/1968)

Section 10-10-03 DRIVING ON RIGHT SIDE OF ROADWAY

- A. The driver of any vehicle shall drive such vehicle upon the driver's right one-half (1/2) of the street, except upon one-way streets or alleys, and except when such right one-half (1/2) of the street is out of repair, or when passing or overtaking another vehicle as provided in Section 10-10-4.
- B. Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right hand lane then available for traffic, or as close as practicable to the right hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.
(2933, Added, 03/17/1969)

Section 10-10-04 OVERTAKING AND PASSING VEHICLES AND BICYCLES

- A. The driver of any vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left thereof and shall not again drive to the right side of roadway until safely clear of such overtaken vehicle.
- B. The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:
 - 1. When the vehicle overtaken is making or about to make a left turn.
 - 2. Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two (2) or more lines of moving vehicles in each direction.
 - 3. Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two (2) or more lines of moving vehicles.
- C. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicle and the traffic and conditions of the street or highway.
- D. The operator of a motor vehicle overtaking a bicycle or pedestrian on a highway shall leave a safe

distance, but not less than three (3) feet, when passing the bicycle or pedestrian and shall maintain that distance until safely past the overtaken bicycle or individual.
(6764, Amended, 01/12/2010)

Section 10-10-05 LIMITATIONS ON OVERTAKING AND PASSING

- A. The driver of a vehicle shall not drive to the left side of the center line of a roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of on-coming traffic for a sufficient distance ahead to permit such overtaking and passing to be made in safety.
- B. The driver of a vehicle shall not overtake or pass another vehicle proceeding in the same direction upon a grade or upon a curve in the roadway unless the driver's view along the roadway is sufficient to insure safety.
- C. The driver of a vehicle shall not overtake or pass any other vehicle proceeding in the same direction when approaching within one hundred (100) feet of any intersection or railroad grade crossing, unless otherwise permitted by a traffic control device or police officer.
(6655, Amended, 04/15/2008)

Section 10-10-06 NO-PASSING ZONES

- A. The City Traffic Engineer is hereby authorized to determine those portions of any street where overtaking and passing or driving to the left of the roadway would be especially hazardous and may by appropriate signs or markings on the roadway indicate the beginning and end of such zones.
- B. Where signs or markings are in place to define a no-passing zone, no driver shall at any time drive on the left side of the roadway within such no-passing zone on the left side of any pavement striping designed to mark such zones.
- C. A no-passing zone shall be marked by a solid yellow barrier line placed as the right hand element of a combination line. The combination line shall consist of either of the following:
 - 1. A double yellow barrier line; or
 - 2. A normal broken white center or lane line continuing through the no-passing zone, with the solid yellow barrier line placed to the right of it.

Section 10-10-07 PASSING VEHICLES PROCEEDING IN OPPOSITE DIRECTIONS

Drivers of vehicles proceeding in opposite directions shall pass each other to the right. Upon roadways having width for not more than one lane of traffic in each direction, each driver shall give to the other at least one-half (1/2) of the main-traveled portion of the roadway as nearly as possible.
(6655, Amended, 04/15/2008; 2864, Added, 04/01/1968)

Section 10-10-08 OBSTRUCTION TO DRIVER'S VIEW OR DRIVING MECHANISM

- A. No person shall drive a vehicle when it is so loaded or when there are in the front seat such a number of persons, exceeding three (3), as to obstruct the view of the driver to the front or the sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.
- B. No passenger in a vehicle shall ride in such a position as to interfere with the driver's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle.
- C. No vehicle shall be operated, except under adverse weather conditions, when the windows of such vehicle are coated with ice, snow, sleet, or dust to the extent that the driver's view ahead, to the sides or rear of the vehicle are obstructed.

(4524, Added, 04/07/1980)

Section 10-10-09 FUNERALS AND PARADES

No driver shall drive a vehicle between vehicles comprising a funeral, parade or other authorized procession while such vehicles are in motion. The drivers of all vehicles comprising a funeral procession shall, while such vehicles are in motion, operate the vehicle with headlights illuminated.

Section 10-10-10 OPERATING ALL-TERRAIN VEHICLES IN THE CITY OF BOISE

It shall be unlawful for any person to operate an all-terrain vehicle (ATV) within the Boise City limits on any public street or highway, including controlled access highways, or upon any public property or private property open to the public unless; the vehicle is actively being used for snow removal purposes or for an agricultural, horticultural, dairy or livestock growing or feeding purpose. All other uses are strictly prohibited and a driver cited under this code section shall be subject to an infraction with a penalty of seventy-five dollars (\$75.00) plus court costs.

(6701, Added, 02/10/2009; 6655, Repealed, 04/15/2008; 5097, Added, 08/02/1988)

Section 10-10-11 LIMITATIONS ON BACKING

The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic, except that under no circumstances shall the driver of a vehicle back the same into or through an intersection.

(2864, Added, 04/01/1968)

Section 10-10-12 DRIVING OR PARKING ON SIDEWALKS OR PARKWAYS

No vehicle shall drive or park upon any sidewalk or parkway as defined by Section 9-24-1 of this Code; provided that vehicles may cross sidewalks or parkways at authorized curb cuts and at alleys.

(3433, Added, 07/02/1973)

Section 10-10-13 NEGLIGENT DRIVING

It shall be unlawful for any person to operate a motor vehicle in a negligent manner over and along the highways, streets or alleys of this City. For the purpose of this Section, to "operate in a negligent manner" shall be construed to mean the operation of a motor vehicle under any of the following conditions:

- A. The engaging in any motor vehicle speed contest or exhibition of speed.
- B. Excessive, unreasonable, rapid acceleration of a motor vehicle.
- C. The operation of a motor vehicle where the operator has less than full control of the speed and direction of movement of the vehicle. The collision by a vehicle with any stationary object shall be prima facie evidence of a violation of this Section.
(2864, Added, 04/01/1968)

Section 10-10-14 HARASSMENT OF BICYCLISTS AND PEDESTRIANS PROHIBITED

It shall be a misdemeanor for any person, maliciously and with the specific intent to intimidate or harass or cause another person to crash, stumble, or fall because that other person is walking along the roadway or operating a bicycle along the roadway, to:

- A. threaten, by word or act, to cause physical injury to the pedestrian or bicyclist, or
- B. throw or otherwise expel any object at or in the direction of the pedestrian or bicyclist.
(6764, Added, 01/12/2010; 6655, Repealed, 04/15/2008, 3366, Added, 10/10/1972)

Section 10-10-15 REPEALED

(6655, Repealed, 04/15/2008, 2864, Added, 04/01/1968)

Section 10-10-16 OPENING AND CLOSING VEHICLE DOORS

No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.
(2933, Added, 03/17/1969)

Section 10-10-17 OPERATING MOTORIZED VEHICLES ON BIKE LANES AND BIKE PATHS

No person shall drive a motorized vehicle upon any officially marked bike lane, bike path, foot path or other separate right-of-way specifically set aside for use by pedestrians or non-motorized vehicles except at an intersection or when entering or leaving a roadway at a driveway, private road or alley. Prior to crossing a non-motorized right-of-way, the motorist shall yield the right-of-way to any pedestrian or non-motorized vehicle operating thereon. This Section shall not apply to authorized emergency vehicles meeting the conditions specified in, Idaho Code Section 49-123(2)(b) or Boise City Code 10-01-01, or authorized maintenance and construction vehicles while actually engaged in work upon a roadway or non-motorized right-of-way.
(6655, Amended, 04/15/2008, 4406-A, Added, 06/11/1979)

Section 10-10-18 USE OF PRIVATE PROPERTY AS A PUBLIC ROADWAY OR THROUGHWAY STREET

- A. It shall be unlawful for the operator of any motor vehicle to drive upon or use any private driveway, private property, or parking lot as a throughway to bypass an intersection controlled by a stop sign or traffic control signal.
- B. It shall be prima facie evidence of bypassing an intersection in violation of subsection A for an operator of a motor vehicle to enter private property from a highway and immediately thereafter exit private property without coming to a complete stop before re-entering a highway.
- C. Any violation of subsection A shall be an infraction with a fixed penalty for moving traffic infractions set by the Idaho Infractions Rules 9(b)(5).
(6188, Added, 10/01/2002)